

1 UNITED STATES OF AMERICA,)
 2)
 3 Plaintiff,)
 4)
 5 v.)
 6)
 7 JERRARDO DEL TORRO MEDINA,)
 8)
 Defendant,)
 _____)

No. CR-99-40219-DLJ

9 On March 10, 2008 Defendant Jerrardo Del Torro Medina filed a
 10 *pro se* motion to reduce the term of his imprisonment pursuant to 18
 11 U.S.C. § 3582(c)(2). On March 16, 2001, the Court sentenced Del
 12 Torro Medina to 120 months in prison, the mandatory minimum
 13 sentence set by statute. On its face, Del Torro Medina's motion
 14 does not make out a claim for relief. Section 3582(c)(2) applies
 15 only to prison terms that were imposed pursuant to the United
 16 States Sentencing Guidelines (USSG). See id. Del Torro Medina's
 17 sentence, by contrast, was imposed pursuant to the mandatory
 18 minimum sentence established by 21 U.S.C. 841(b)(1); no part of his
 19 sentence was based on the Sentencing Guidelines. Del Torro Medina
 20 is therefore not entitled to relief under § 3582(c)(2). His motion
 21 is DENIED.
 22
 23

24 IT IS SO ORDERED

26 Dated: March 19, 2008

25 
 27 D. Lowell Jensen
 28 United States District Judge